

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/789,128
		Filing Date	February 27, 2004
		First Named Inventor	Dustin L. Green
		Group Art Unit	2619
		Confirmation Number	7352
		Examiner Name	TIMOTHY J WEIDNER
<input type="checkbox"/> Sent via Express Mail Label No.:		Attorney Docket Number	303427.01

ENCLOSURES (check all that apply)					
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply ( pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement with Form PTO/SB/08A ( pages)  <input type="checkbox"/> Response to Notice to File Missing Parts <input type="checkbox"/> A copy of the Notice to File Missing Parts Under 37 CFR 1.52 or 1.5	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>  <input type="checkbox"/> Drawing(s) ( sheets)  <input type="checkbox"/> Declaration <input type="checkbox"/> Newly Executed ( pages) <input type="checkbox"/> A copy from a prior application (37 CFR 1.63(d)) ( pages)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> General Power of Attorney (SB80) <input type="checkbox"/> 37 CFR 3.73(b) Statement  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) __	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Application Data Sheet  <input type="checkbox"/> Request for Corrected Filing Receipt  <input type="checkbox"/> Return Receipt Postcard  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <input checked="" type="checkbox"/> Issue Fee Transmittal <input checked="" type="checkbox"/> Comments on Statement of Reasons for Allowance  <input type="checkbox"/>			
		<u>CERTIFICATE OF MAILING OR TRANSMISSION</u> <u>(Under 37 CFR § 1.8(a))</u>			
		I hereby certify that this correspondence is being electronically deposited with the USPTO via EFS-Web on the date shown below:			
		<u>August 25, 2008</u>	<u>/Noemi Tovar/</u> Date Signature <u>Noemi Tovar</u> Printed Name		
		Remarks <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required, or credit any overpayments, to Deposit Account No. 50-0463 for the above identified patent application.			

SIGNATURE OF ATTORNEY OR AGENT					
Signature	<u>/Henry Gabryjelski/</u>		Reg. No.	62,828	
Name of Attorney or Agent		<u>Henry Gabryjelski</u>			
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First Named Inventor: Dustin L. Green      Attorney Docket No.: 303427.01  
Application No.: 10/789,128      Group Art Unit: 2619  
Filed: February 27, 2004      Confirmation Number: 7352  
Customer No.: 22971      Examiner: TIMOTHY J  
WEIDNER  
Title: MEDIA STREAM SPLICER

Commissioner for Patents  
P.O. Box 1460  
Alexandria, VA 22313-1450

#### Comments on Statement of Reasons for Allowance

Dear Sir:

Applicants acknowledge the allowance of claims in the subject application by the Examiner with appreciation. The Applicants agree with the Examiner's Statement of Reasons for Allowance to the extent that the claims of the present invention are patentable over the references in the record. The Applicants expressly traverse the Examiner's Statement of Reasons for Allowance to the extent that any comment is intended or has the effect of limiting a claim scope, explicitly or implicitly, by not reciting verbatim the respective claim language, or is intended or has the effect of limiting a claim scope by stating or implying that all the reasons for patentability are in any way fully enumerated.

Moreover, it appears that the Examiner's Statement of Reasons for Allowance reiterates the Examiner's arguments made during prosecution. By virtue of the Examiner's allowance of the claims over the cited references and the associated arguments, it is believed that the previous arguments made by the Examiner have been overcome. Additionally, Applicants specifically do not acquiesce or agree in any manner as to the comments made by the Examiner regarding what the prior does or does not teach. Indeed, Applicants have pointed out the errors in the comments/arguments in Applicants' Response to the Final Office Action.

The Applicants further point out that the reasons for allowance set forth by the Examiner are not the only reasons that the claims are allowable. Further reasons for allowance of the claims beyond those enumerated by the Examiner are described and set forth in the

Applicants' specification. In addition, structures and methods that perform substantially the same function in substantially the same way to achieve substantially the same results are included within the scope of the claims.

Finally, as the Examiner's reasons for allowance are not exhaustive, such reasons for allowance do not establish an estoppel against Applicants seeking and obtaining allowance of additional, broader claims in a continuation application, which Applicants reserve the right to file.

Respectfully submitted,

Microsoft Corporation

Date: August 19, 2008 \_\_\_\_\_ By: /Henry Gabryjelski/ \_\_\_\_\_

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August 25, 2008 \_\_\_\_\_ /Noemi Tovar/ \_\_\_\_\_  
Date Noemi Tovar